

## PLANNING AND ZONING BOARD

MAY 22, 2002

### 1. ROLL CALL

The meeting was called to order at 7:04 p.m. Board members present were Vice-Chair Mike Bender, George Greb, Casey Lee and Bob Waitkus. Also present were Town Attorney Monroe Kiar, Planner Chris Gratz and Board Secretary Janet Gale recording the meeting. Mimi Turin was absent.

### 2. SELECTION OF CHAIR

Vice-Chair Bender passed the gavel and nominated Mr. Greb for Chair, seconded by Mr. Waitkus. As there were no other nominations, nominations were closed. In a voice vote, with Ms. Turin being absent, all voted in favor. **(Motion carried 4-0)**

### 3. SELECTION OF VICE-CHAIR

Mr. Waitkus re-nominated Vice-Chair Bender, seconded by Ms. Lee. As there were no other nominations, nominations were closed. In a voice vote, with Ms. Turin being absent, all voted in favor. **(Motion carried 4-0)**

### 4. APPROVAL OF MINUTES: May 8, 2002

Vice-Chair Bender made a motion, seconded by Ms. Lee, to approve the minutes of May 8, 2002. In a voice vote, with Ms. Turin being absent, all voted in favor. **(Motion carried 4-0)**

### 5. PUBLIC HEARING

#### *Rezoning*

5.1 ZB 4-1-02, Higgins-Deni & Associates/Belle Commerce, LLP, 10220 State Road 84 (from A-1 to CC)

Mikki Ulrich, representing the petitioner, was present. Mr. Gratz read the planning report, (Planning and Zoning Division's recommendation: none made).

Ms. Ulrich explained that Commercial/Commerce was the most "logical" use for what was intended to be developed. She indicated that an office/warehouse was proposed.

Chair Greb asked if anyone wished to speak for or against this item. As no one spoke, the public hearing was closed.

A discussion ensued and Board members expressed concern about setting a precedence. Ms. Ulrich provided a conceptual site plan. At the Board's inquiry, Mr. Gratz explained the requirements needed for B-3 zoning.

Mr. Waitkus made a motion, seconded by Vice-Chair Bender, to deny. In a roll call vote, the vote was as follows: Chair Greb - yes; Vice-Chair Bender - yes; Ms. Lee - yes; Ms. Turin - absent; Mr. Waitkus - yes. **(Motion carried 4-0)**

#### *Variance*

5.2 V 4-1-02, Southern Pools Inc./Regency at Stonebrook Estates, 12900 Kapok Drive (E)

Randy Paigo, representing the petitioner, was present. Mr. Gratz read the planning report, (Planning and Zoning Division's recommendation: approval).

Using a site plan map, Mr. Gratz pointed out the technical difficulties which existed in this odd shaped lot and made it problematical to have the proposed structure comply with the Code.

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Chair Greb asked if anyone wished to speak for or against this item.

Jay Stahl, 5801 Surrey Circle West, recalled that many concessions were made to provide this development with estate zoning and he was opposed to granting another one.

As there were no other speakers, the public hearing was closed.

In the discussion which ensued, Mr. Kiar pointed out that the lot size was larger than one acre. Each Board member expressed an inclination to approve because of the unique configuration of the lot, the approval of neighbors and the fact that there had not been any other variance requests in this development.

Vice-Chair Bender made a motion, seconded by Mr. Waitkus, to approve. In a roll call vote, the vote was as follows: Chair Greb – yes; Vice-Chair Bender – yes; Ms. Lee – yes; Ms. Turin – absent; Mr. Waitkus – yes. **(Motion carried 4-0)**

**6. OLD BUSINESS**

**6.1 Selection of Representative for Joint Economic Development Steering Committee**

Following a brief discussion, Ms. Lee agreed to be the representative.

Vice-Chair Bender made a motion, seconded by Mr. Waitkus, to appoint Ms. Lee as the representative to the Joint Economic Development Steering Committee. In a voice vote, with Ms. Turin being absent, all voted in favor. **(Motion carried 4-0)**

**7. NEW BUSINESS**

Mr. Kiar spoke of the “Sunshine Law” so that all Board members would have a clear understanding of it. The Board also discussed the importance of, and procedure for, making disclosures.

**8. COMMENTS AND/OR SUGGESTIONS**

There were no comments and/or suggestions made.

**9. ADJOURNMENT**

There being no other business and no objections, the meeting was adjourned at 7:57 p.m.

Date Approved \_\_\_\_\_

\_\_\_\_\_  
Chair/Board Member